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68TH CONGRESS }
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SENATE

{ REPORT
{ No. 915

PURCHASE OF LAND FOR RIFLE RANGE AT AUBURN, ME.

JANUARY 22 (calendar day, JANUARY 23), 1925.—Ordered to be printed

MR. WADSWORTH, from the Committee on Military Affairs, submitted the following

REPORT

[To accompany S. 3400]

The Committee on Military Affairs, to which was referred the bill (S. 3400) for the purchase of a tract of land adjoining the militia target range at Auburn, Me., having considered the same, report thereon favorably with the recommendation that the bill do pass with the following amendments:

In line 7, after the word "hereby," insert the words "authorized to be."

At the end of line 7, strike out the comma and strike out all of line 8 and "ated" in line 9.

The above amendments make the bill conform to the present rules of the Senate and House of Representatives and with the operation of the Budget.

The desirability of purchasing this property is set forth in the following letter from the adjutant general of the State of Maine and the attached communication from the Secretary of War, which shows that the department has no objection to the passage of the bill:

STATE OF MAINE,
OFFICE OF THE ADJUTANT GENERAL,
Augusta, May 14, 1924.

HON. FREDERICK HALE,
United States Senate, Washington, D. C.

DEAR MR. HALE: I was in Washington last week, but did not have an opportunity to call upon you personally, as we were kept busy at a conference and other matters of the adjutants general of the United States.

There is a matter in which here in Maine we are vitally interested and which I went over quite thoroughly with the officials of the Militia Bureau and have their tentative approval of the project. It is the purchase by the Federal Government of the piece of land adjacent to the United States rifle range at Auburn, Me., and I am forwarding under separate cover maps showing the property it is desired to purchase. The land in question is bounded by the red line on the plan and is the property of John Baron, of Auburn. About 12 or 15 years ago the Federal Government purchased the land just north of the road adjoining Mr. Baron's land and built a rifle range for the use of the National Guard of this State thereon, and it is the one we now use for our annual competitions, and it is also used by several of our companies for their target practice. The area, however, is insufficient upon which to camp, being taken up principally

with butts, firing mounds, etc., as you will note from the plan, so that we have had to go across the road and hire land of Mr. Barón on which to pitch our camp each year when we go there for our State competitions. This land comprises 84 acres and can now be purchased for \$3,000, and I would request that if it is feasible at this time to do so you introduce a bill for the purchase of this property by the Federal Government, to be used as a rifle range and for other military activities in connection with the lot already owned by the United States.

For your information I desire to add Augusta, Me., has been designated as the mobilization point of the Eighty-sixth Infantry Brigade. At Augusta we have no adequate range on which to give instruction to a full organization, and our nearest available place is Auburn. As you know, it is connected by a good road and only 30 miles away and is a very easy matter to move a regiment or battalion from the main camp at Augusta to Auburn for their drill and rifle practice. This is one of the principal reasons why the purchase of this additional acreage is desired. The Militia Bureau will look favorably upon the purchase; they understand that it is vitally necessary to round out the range property already owned by the Government.

Very truly yours,

J. W. HANSON, *The Adjutant General.*

WAR DEPARTMENT,
Washington, December 16, 1924.

HON. JAMES W. WADSWORTH,
Chairman Committee on Military Affairs,
United States Senate.

DEAR SENATOR WADSWORTH: This is in further reference to your communication of December 5, 1924, requesting the views of the War Department on Senate bill 3400 for the purchase of a tract of land adjoining the militia target range at Auburn, Me.

This range is a United States military reservation turned over to the State of Maine for the use of its National Guard. It is located in the city of Auburn, Androscoggin County, and contains 70 acres. It is one of the best-equipped target ranges in the United States. However, the target butts and firing points occupy practically the entire area so that there is no room for a camp site.

The John Baron plot of 84 acres, which it is proposed to purchase, adjoins the range, and if acquired would afford space for a camp site for the troops using the range. The adjutant general of Maine is of the opinion that the acquisition of this additional land would be advantageous to the State of Maine and facilitate the training of its National Guard, and I concur in this view, though I believe the project is one of convenience to the State rather than of direct benefit to the Federal Government.

In the absence of federally owned land available to be turned over to a State, the acquisition of land for use as a target range or camp site exclusively by the National Guard of one State is, in my opinion, the primary obligation of the State concerned. Such land should be acquired by purchase from State funds, or when available for that purpose, from that part of the Federal appropriation for the support of the National Guard apportioned to the State under the provisions of section 67, national defense act.

Section 67, national defense act, provides that the annual appropriation for the support of the National Guard which is apportioned among the several States, Territories, and the District of Columbia, shall be available, among other purposes, "for the promotion of rifle practice, including the acquisition, construction, maintenance, and equipment of shooting galleries, and suitable target ranges." The Comptroller General in a decision dated March 15, 1923 (2 Comp. Gen. 558), has held that in view of the provision in section 3736, Revised Statutes, that "no land shall be purchased on account of the United States, except under a law authorizing such purchase," section 67, national defense act, does not authorize the purchase of land from the appropriation made thereunder unless such appropriation is specifically made available for such purchase. The National Guard appropriation for the present fiscal year is not so available, and the estimates for the fiscal year 1926 do not include any funds for such purpose.

While it is my opinion that under the circumstances the obligation to acquire this additional land is on the State of Maine rather than on the United States, I interpose no objection to the passage of the bill.

Sincerely yours,

JOHN W. WEEKS, *Secretary of War.*